

Minutes of the Health & Human Services Committee

Thursday, January 15, 2004

Chair Herro called the meeting to order at 1:04 p.m.

Present: Supervisors Ken Herro (Chair), Jim Jeskewitz, Sandy Wolff, and Alicia Silva. Carl Seitz arrived at 1:06 p.m. and Mareth Kipp arrived at 1:08 p.m. Seitz and Kipp left the meeting at 3:32 p.m. and Wolff left at 5:05 p.m. **Absent:** Paul Pronold.

Also Present: Health & Human Services Director Ernie Messinger, Long Term Care Manager Jack Bodien, Public Health Manager Nancy Healy-Haney, Public Health Supervisor Rosie Schroeder, Senior Financial Analyst Andy Thelke, Health & Human Services Director Peter Schuler, Administrative Services Manager Russ Kutz, Adolescent & Family Services Manager Pat Voss, Attorney Manager Maura McMahon of the State Public Defender's Office, Addiction Resource Council Executive Director Claudia Roska, Addiction Resource Council Director of Community Services Carol Hanneman-Goruz, and Clinical Services Manager Mike DeMares.

Approve Minutes of December 4, 2003

MOTION: Jeskewitz moved, second by Wolff to approve the minutes of December 4, 2003. Motion carried 4-0.

Schedule Next Meeting Dates

January 29, 2004.

Executive Committee Report

Esler said among the issues discussed at the last Executive Committee meeting was the federal audit of the Community Development Block Grant Program and possible fiscal ramifications for the County.

Seitz arrived at 1:06 p.m.

Kipp arrived at 1:08 p.m.

Education Regarding State Long Term Care Functional Screen (Web-based)

Bodien distributed a handout which included information on policy issue, history, rationale, etc. He indicated the State is requiring all counties that operate COP and Waiver-based programs to use the Long Term Care functional screen for eligibility determination by fiscal year-end 2005. The screen is web-based whereby case managers will enter data into the system and they will immediately receive a rating. Currently, staff must complete a form and mail it to the Bureau of Quality Assurance who rates the individual and sends the form with the rating back to the County.

Bodien said 30 counties have either already begun using the screen or are in the process of doing so although Waukesha County is not one of them. Currently, the screen can only be used for people with physical disabilities and development disabilities and the frail elderly. But it will soon be used for people with brain injuries and right now they're piloting it for mental health and child waivers. It appears that computerized assessment tools will eventually be used for all Long

Term Care services. Bodien said if we can be up and running by July 1, 2004, the State will give us \$2,000 in general purpose funds as an incentive which can be matched with federal funds for a total of \$5,000. To answer Herro's question, Bodien said the screen wouldn't cost the County anything to implement.

Influenza Update

Healy-Haney distributed copies of "Fact Sheet: Key Facts about the Flu" for informational purposes. She said availability of the vaccine, public response to the vaccine, and the actual flu season each affect their flu shot program. The division puts money into the budget about one year in advance of the program. She indicated they had set aside about \$29,000 to purchase vaccines and this was based on the preceding year. She noted that they expected \$41,600 in revenues from administering the vaccines but this figure will actually be about \$60,200. Typically, they make twice as much as what is spent.

At the beginning of the season's flu shot program there was a vaccine shortage. She and Director Schuler decided to purchase vaccine on the open market because they didn't want people showing up and there would not be any vaccine. Later, they received 750 doses through a multi state contract. At this time there was a very poor public response so staff decided to sell off some of the vaccine to some of their partners such as Pro Health.

Schroeder said an average of 36,000 people die each year from the flu. Those aged 65 and older, those with chronic health conditions, and women in the second and third trimester of pregnancy during the flu season are most at risk. And for the second year in a row, there is a new recommended category: infants aged 6 to 23 months. This is a new focus for the County's Public Health Division.

Schroeder said the flu arrived several weeks earlier than usual and it seems the peak period is over. This year we did not have a perfect match with regards to the components of the flu vaccine with the flu disease that was circulating. This year, a strain that was slightly different than one of the strains in the vaccine circulated called Fujion. It's slightly different than the Panama strain which was included in the vaccine and this means the shot would not provide complete protection against the Fujion strain. The other two strains in the vaccine did match what has been circulating. The Fujion strain is considered Type A and is associated with more severe symptoms. In addition, it's a new strain which means the community in general is not immune, therefore, more people are susceptible.

Schroeder said at the beginning of the season the CDC told them that vaccine availability was good and therefore they offered it at the very beginning to whoever was interested. Schroeder said this is the first year they promoted and made available the vaccine for the 6 to 23 month age group and they are available to those who do not have health insurance or those on Title 19. Messinger said the newspaper stories about children dying from the flu added to the rush for these vaccinations. Schroeder said as the flu season escalated and the demand for vaccine reached its peak, they had only about 700 doses left. In fact, two of their already scheduled clinics were very overrun because of the response.

Healy-Haney said next year they will try to budget accordingly and they will order more vaccine for the children. She anticipates it will be another crazy year.

Review 9-Month Budget Monitoring Summary Report

Kutz, Messinger, and Schuler reviewed the 2003 nine-month budget status report on Special Revenue Funds: Human Services Fund 150 – Community Aids, Long Term Care Fund 310, and Mental Health Center Fund 350. Kutz said they were below budget in some areas (\$571,000) and over budget in others (\$489,00) for a total of \$82,000 below budget.

Ordinance 158-O-123: Authorize the Use of the Secure and Non-Secure Detention Facilities for Short Term Detention

Voss said recent federal law changes contained in the Adoption and Safe Families Act require changes in our business process. Wisconsin Statute 938.355 provides that counties can authorize the use of detention facilities for placement of juvenile offenders under a 72-hour hold. Prior to the Adoption and Safe Families Act (ASFA), purgeable sanction orders allowed Juvenile Center stays to be deferred while the juvenile subject to the order complied with their rules of supervision, and revoked by staff if violations occurred. ASFA requires additional judicial action if a violation occurs, essentially removing worker discretion, and increasing the volume of court activity. The 72-hour hold is not subject to ASFA requirements and presents a reasonable alternative for maintaining efficiency and youth accountability.

Staff are asking for the authority for County human services staff to initiate a 72-hour hold in a licensed detention facility. The Department does not anticipate a marked increase in placements at the Juvenile Center as a result of the 72-hour hold, since this measure will only be used in delinquency cases where a new law violation has been committed.

Copies of a letter to County Executive Dan Finley from Sam Benedict of the State Public Defender's Office were distributed. They are opposed to the 72-hour hold, basically because it can be done by a social worker and without a judicial order or hearing. McMahon of the State Public Defender's Office said it's important the delinquent or his or her parents be given a chance to explain why he or she may not have complied with the original sanction order and why a 72-hour hold may be unjust. This ordinance gets rid of that safeguard. Voss noted the juvenile must be considered delinquent and dangerous in order to be detained in secure detention.

Voss distributed copies of "Short Term Detention Procedures - 938.355(6d)" dated 9-16-03. He said they are very stringent procedures and they address concerns about overuse, due process, etc. Herro had concerns about allowing non-elected social workers to lock kids up – "is the stick too big?" It's the judges who should be responsible for due process. Messinger said social workers will not be running amok and locking kids up that don't need to be locked up and perhaps overcrowding the Juvenile Center. Staff are well aware of these concerns and they have the same concerns. To answer Esler's question, Voss said the procedures are more restrictive than what's stated in the ordinance. The procedures would be followed, not the ordinance.

Staff have explored the 72-hour hold with other counties that have used this option for many years and have learned that it is considered to be an effective and efficient measure to quickly respond to law violations. The Department projects no fiscal impact from this proposed change. Messinger said the ordinance includes a one-year sunset clause. The department will track and evaluate use of the 72-hour hold during that time and be in a position to recommend whether its use should be re-authorized.

MOTION: Kipp moved, second by Jeskewitz that this be tabled until the next meeting to give committee members adequate time to review the detention procedures. Motion carried 6-0.

Kipp and Seitz left the meeting at 3:32 p.m.

Tour the Addiction Resource Council

The committee recessed at 3:32 p.m. and reconvened at 3:50 p.m. at the Addiction Resource Council. Roska stated that the Council has been in existence for 32 years – since 1971. The mission of the Council is to inform people about alcoholism and other drug addictions. Their corporation provides resources in these areas and she added that they are not a treatment provider. Their staff consists of 12 full-time equivalents, four of whom are Assessment Specialists. They see 3,000 clients each year and they speak to another 10,000 people in educational settings.

Roska said they principally handle Waukesha County residents although they do alcohol assessments for Jefferson and Dodge counties for a fee of \$180 per person. They see 2,000 intoxicated drivers each year and the majority are first offenders. Of the assessments made, 60% are not in need of treatment and are referred to educational resources.

Herro asked in terms of programming, what are we doing right and what are we doing wrong? Roska said what we're doing right is in our educational efforts and that alcoholism is an addiction that needs treatment. What we're less successful at is in educating people that treatment can be provided when it is not a result of a criminal activity.

Wolff left the meeting at 5:05 p.m. whereupon the group remaining continued the discussion and concluded with a tour of the facility which ended at 5:30 p.m.

Recorded by Mary Pedersen, Legislative Policy Advisor.

Respectfully submitted,

Alicia Silva
Secretary